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EXAMINER

USTARIS, JOSEPH G

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Response to Arguments

1. Applicant's arguments filed August 25, 2008 have been fully considered but they are not persuasive.

Applicant argues with respect to claims 1, 2, 4-9, 12, and 14 that Chimoto and Battini are entirely different fields of endeavor. Applicant argues that Chimoto is directed towards modules inside a single apparatus and Battini is directed to controlling a plurality of domestic appliances. However, the examiner would like to point out that Chimoto and Battini both disclose control systems that are used for controlling various components within the system (See Chimoto Fig. 1 and Battini Fig. 1). Both systems allow various components to be added or removed (See Chimoto Fig. 1 and Battini Fig. 1). Battini discloses the use of certain communication protocols between the various components (See col. 4 lines 45-63) that provides a more efficient means of controlling devices by enabling the system to be compatible with HTML thereby enabling the system to use a variety of computer tools (See col. 4 lines 20-23). Whether the modules are internal or external (e.g. appliances) does not have an impact on the communication protocols used between the various components. Each of the components, whether internal or external, needs to communicate with each other in order to operate successfully together. Battini merely discloses one type of communication protocol that is used between various components. One of ordinary skill would recognize that the communication protocol disclosed by Battini can easily be used in other systems where communications between components is necessary.

In response to applicant's argument that the examiner's conclusion of obviousness is based upon improper hindsight reasoning, it must be recognized that any judgment on obviousness is in a sense necessarily a reconstruction based upon hindsight reasoning. But so long as it takes into account only knowledge which was within the level of ordinary skill at the time the claimed invention was made, and does not include knowledge gleaned only from the applicant's disclosure, such a reconstruction is proper. See *In re McLaughlin*, 443 F.2d 1392, 170 USPQ 209 (CCPA 1971). Applicant further argues that the examiner appears to be selectively picking and choosing elements without considering the references in their entirety. However, the examiner has considered the references in their entirety. The examiner has chosen both Chimoto and Battini because both disclose control systems that are used for controlling various components within the system (See Chimoto Fig. 1 and Battini Fig. 1) and both systems allow various components to be added or removed (See Chimoto Fig. 1 and Battini Fig. 1).

Applicant further argues that it would not have been obvious to modify the modules that are provided for decoding processing signals to include descriptors that will be displayed on a screen. However, as already stated by applicant, Chimoto discloses that a user can select different programs to be decoded by the modules. However, Chimoto does not explicitly disclose how the selection screen is generated or how the selection is made by the user. Battini discloses the use of certain communication protocols that incorporates HTML. With such a protocol, the modules can easily communicate data that can be displayed to the user (e.g. the current channel

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tuned or what channel to tune to next). Furthermore, Chimoto discloses other modules may be used in the system that can also benefit from using the communication protocol disclosed by Battini (See Chimoto col. 10 lines 54-63).

Applicant also argues with respect to claims 10 and 11 that Trovato does not disclose analyzing characteristics of the extension board. However, reading the claims in the broadest sense, Trovato does disclose that limitation in the claims. Trovato discloses the each module contains device drivers and protocols stored in memory 17 (See Trovato col. 4 lines 20-21). When a module is connected the system reads and loads the device drivers and protocols in order to successfully interface the module with the CPU. The reading and loading of the device drivers and protocols is considered analyzing characteristics of the module, wherein the device drivers and protocols define how the module works and how to integrate the module into the system.

Applicant is reminded that although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Conclusion

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to JOSEPH G. USTARIS whose telephone number is (571)272-7383. The examiner can normally be reached on M-F 7:30-5 PM; Alternate Fridays off.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher S. Kelley can be reached on 571-272-7331. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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/Joseph G Ustaris/
Primary Examiner, Art Unit 2623